

**Carlos Hernández**  
Mayor

**Luis Gonzalez**  
Council President

**Katharine E. Cue-Fuente**  
Council Vice President



Council Members  
**Jose F. Caragol**  
**Vivian Casáls-Muñoz**  
**Isis Garcia-Martínez**  
**Paul B. Hernández**  
**Lourdes Lozano**

## City Council Agenda April 11, 2017 7:00 P.M.

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Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilman Paul B. Hernandez

### **Meeting Guidelines**

The following guidelines have been established by the City Council:

➤ **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**

- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

### **Presentations –**

1. Announcement of Amendments/Corrections to the Agenda
2. Consent Agenda-

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident

so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A.** Request permission to approve the minutes of the City of Hialeah Council Meeting held on March 28, 2017. (OFFICE OF THE CITY CLERK)
- B.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute a services agreement between MCCi LLC and the City of Hialeah, Florida, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”, to provide document management software, hardware and other related services, for a term commencing on the effective date of the agreement and ending on June 15, 2018, with an option to renew for two consecutive one-year terms; providing for an effective date. (BUILDING)
- C.** Proposed resolution authoring the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute a first amendment to services agreement between Community Champions Corporation and the City of Hialeah, Florida, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “1”, for a term of one year commencing on April 1, 2017 and ending on March 31, 2018, with an option to renew for two consecutive one-year terms; providing for an effective date. (CODE ENFORCEMENT)
- D.** Request permission to waive competitive bidding, since it is advantageous to the City, and increase Purchase Order No. 2017-453, issued to Power Party Events Corp., to provide tents, tables, rides, operators and other equipment necessary for Eggstravaganza and other events, by an additional amount of \$12,671, for a new total cumulative amount not to exceed \$26,671. (DEPT. OF EDUCATION AND COMMUNITY SERVICES)
- E.** Request permission to waive competitive bidding, since it is advantageous to the City in that the electrical plan reviewer requested new washer and dryer outlets to be installed during the permit and electrical plan review process, and increase Purchase order No. 2016-2082, issued to AAB Affordable Services LLC, for residential repairs at Miguelina Larrinaga Project Case No. S-504, by an additional amount of \$5,894, for a new total cumulative amount not to exceed \$45,197. On September 13, 2016, the City Council awarded this project to this vendor, sole responsive bidder. (DEPT. OF GRANTS AND HUMAN SERVICES)
- F.** Request permission to award the Alfredo Llanes Project Case No. S-506, Bid No. 520, for property located at 221 East 60 Street, Hialeah, Florida, to Arking Solutions, Inc., lowest responsive bidder, in the amount of \$44,047.11, plus an additional \$5,152.89 to cover any change orders that may occur due to unforeseen conditions, in a total cumulative amount not to exceed \$49,200. (DEPT OF GRANTS AND HUMAN SERVICES)
- G.** Request permission to increase Purchase Order No. 2017-514, issued to Florida Municipal Marketing, LLC, for the commission on sales of bus ads, by an additional amount of \$10,500, for a new total cumulative amount not to exceed \$25,000. On March 14, 2017 the City Council approved a consulting agreement with this vendor, to review, redevelop and expand a corporate partnership program and marketing initiatives for City recreational and educational programs, facilities and special events for a period of six months, with the option to renew for an additional six months, commencing on March 29, 2017. (TRANSIT DEPT.)

- H.** Report of Scrivener's Error – Item FF of the City Council Meeting held on September 27, 2016, approved by the City Council, was approved with the incorrect vendor name of *Advance Data Processing Inc. d/b/a IMDX Solutions Corp.* The item is being corrected to reflect the correct vendor name of *Advanced Data Processing, Inc. d/b/a Intermedix.* (OFFICE OF THE CITY CLERK AND FIRE DEPT.)
- I.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City of Hialeah, to execute a Turf and Landscape Maintenance Department Funded Agreement with the State of Florida, Department of Transportation, for the maintenance of turf and landscape on designated State Roads within the corporate limits of the City of Hialeah, for a term of nine months and with an option to renew, in an amount not to exceed \$142,872.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit "1". (STREETS DEPT.)
- J.** Proposed resolution authorizing the application for, and the acceptance of a grant from the Federal Universal Service Fund (e-rate) for schools and libraries, for state fiscal year 2017-2018, for discounts on internet and telecommunication services whereby the grant provides for a 90% reimbursement to the City of Hialeah for internet services, and a 30% reimbursement to the City of Hialeah for phone services; authorizing the expenditure of \$64,200 for internet services, of which 90% will be reimbursed to the City, and \$2,855 for phone services, of which 30% will be reimbursed to the City; and further authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into an internet provider agreement with Comcast Corporation, in an amount not to exceed \$64,200 annually for a period of three years. (LIBRARY)
- K.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Oliver's Pools Inc., vendor providing the lowest quotation, to install a new drainage system at McDonald Water Park, in an amount not to exceed \$45,175. (PARKS AND RECREATION & DEPT. OF GRANTS AND HUMAN SERVICES)
- 3.** Second reading and public hearing of proposed ordinance extending the temporary moratorium under Ordinance No. 2016-60 with a termination date of April 4<sup>th</sup>, 2017 for an additional period of one hundred and eighty (180) days from April 4<sup>th</sup>, on the acceptance, review, approval or issuance of any land development permits as the term is defined in Florida Statutes Section 163.3164(16), Business Tax Receipts, or any other license or permit for the establishment or operation of dispensing facilities within the City of Hialeah engaged in the on-site distribution, sale, delivery or retail of low-thc cannabis, medical cannabis or cannabis delivery devices pursuant to Sections 381.986 and 499.0295 of the Florida Statutes, to include a moratorium on uses under Amendment 2 now Article X § 29 of the Florida Constitution entitled "Medical Marijuana Production, Possession and Use" to run concurrently with the extension of the moratorium under Ordinance No. 2016-60 in order to provide the City with an opportunity to review and enact regulations governing the establishment and operation of dispensing facilities or organizations; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause and providing for an effective date. (ADMINISTRATION)

*Item was approved by the City Council on first reading on March 28, 2017. Second reading and public hearing was scheduled for April 11, 2017.*

4. Board Appointments –
5. Unfinished Business -
6. New Business -
7. Comments and Questions –

**Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.**

**Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.**

### **ZONING**

- PZ 1.** Second reading and public hearing of proposed ordinance granting a variance permit to construct a single family residence on a substandard lot having a frontage of 50 feet, where 75 feet are required, and total lot area of 6,250 square feet, where 7,500 square feet are required, contra to Hialeah Code § 98-499. **Property located on the east side of West 6<sup>th</sup> Court south of West 23 Street and north of the F.E.C. Railway and Hialeah Expressway Hialeah, Florida** (zoned R-1). Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (Applicant: Gilbert Aguila, 5735 West 12 Lane, Hialeah, Florida 33012)

*Item was approved by the City Council on first reading on March 28, 2017. Second reading and public hearing was scheduled for April 11, 2017.*

*Item was approved by the Planning and Zoning Board on March 22, 2017.*

*Planner's Recommendation: Approval*

*Owner of the Property: Gilbert Aguila, 5735 West 12 Lane, Hialeah, Florida 33012*

### **FINAL DECISIONS**

- FD 1.** Proposed resolution approving the final decision of the Planning and Zoning Board, Decision No. 2017-04 that granted an adjustment on the property located at **272 West 17 Street, Hialeah, Florida**; and providing for an effective date. (Applicant: Carlos M. Diaz, 272 West 17 Street, Hialeah, Florida 33010)

*Item was approved by the Planning and Zoning Board on March 22, 2017.*

<i>Planner's Recommendation: Approval</i>
<i>Owner of the Property: Carlos M. Diaz, 272 West 17 Street, Hialeah, Florida 33010</i>

### **LANDUSE AMENDMENTS**

- LU 1.** Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida expressing its intent to approve and adopt a text amendment to the commercial recreation land use classification in the Future Land Use Element of the City of Hialeah Comprehensive Plan to incorporate residential uses and corresponding policies and objectives in connection with the proposed redevelopment of Hialeah Park Race Track. (*Hialeah Park Racetrack*)

<i>Item was approved by the Planning and Zoning Board on March 22, 2017.</i>
<i>Registered Lobbyist: Javier Vazquez, 1450 Brickell Avenue, Miami, Florida 33014, on behalf of Bal Bay Realty Ltd and Bal Bay Management LLC, 2200 East 4<sup>th</sup> Avenue, Hialeah, Florida 33010</i>

**NEXT CITY COUNCIL MEETING: Tuesday, April 25, 2017 at 7:00 P.M.**

**NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, May 23, 2017 at 6:30 p.m.**

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3<sup>rd</sup> Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).